

CONSERVATION COMMISSION  
REGULAR MEETING MARCH 16, 2010  
E. CURTIS AMBLER ROOM

These minutes are not verbatim, but represent a summary of major statements and comments. For minutes verbatim, refer to audiotape on file in the Office of the Town Clerk. Audiotapes are retained for the minimum period required under the retention schedule as provided under Connecticut Law.

Vice-Chairman Igielski called the roll call at 7:00 p.m. and noted Commissioners Block and Shapiro were present. Also present were Alternates Harlow and Turgeon and Mr. Anthony Ferraro, Town Engineer.

NOTE: Vice-Chairman Igielski designated that Alternate Harlow would vote Chairman Pappa and Alternate Turgeon would vote for Commissioner Longo.

ITEM III  
ACCEPTANCE OF MINUTES

Regular Meeting of February 16, 2010

Commissioner Igielski noted the Commission could not act on the minutes tonight because there was not a quorum of members present who were present at the February 16<sup>th</sup> meeting.

It was the consensus of Commission members to carry the item over to the April meeting.

ITEM IV  
PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. Rose Lyons of 46 Elton Drive entered the following remarks into the record relative to the annual maintenance of the Mill Brook area behind her house:

- A. The area behind her residence is in need of a clean up on an annual basis.
- B. Water is piling up higher nearer the location of the proposed new (senior) housing.
- C. Two (2) years ago the neighbors did some clean up of the area. This Commission was not happy.
- D. She is coming here and to Parks & Recreation to find out who has responsibility for maintenance of the area.

- E. The Army Corps of Engineers stopped its (channel) improvements down stream short of the area.

Commissioner Block asked if it (brook maintenance) was a public or private matter? Mr. Anthony Ferraro, Town Engineer, responded some of the property is owned by the Town and some by the State. Maintenance responsibility is a gray area.

Commissioner Block noted that if there is water stagnation occurring in the area, then the (Central Connecticut) Health District could get involved in the matter.

Commission went into recess at 7:05 p.m.

Commission came out of recess at 7:07 p.m.

#### ITEM VA

Application 2010-01, 187 Stamm Road

Mr. Ferraro noted the Engineer (Mr. Vendola) submitted the drainage computations for compensation of lost flood water storage due to the new construction. The site plan has been revised to show changes to include (new item) an elevator to provide access to the second floor.

Vice-Chairman Igielski noted that only three (3) members present tonight were present last month when the presentation was made on the application.

Vice-Chairman Igielski asked Alternate Harlow if he was in a position to act on the application? Mr. Harlow responded no.

Vice-Chairman Igielski asked Alternate Turgeon if he was in a position to act on the application? Mr. Turgeon responded no.

Vice-Chairman Igielski noted that the Commission can not act on the application tonight because four (4) votes are required to act on an application. The application would have to be carried over to the April meeting.

Vice-Chairman Igielski asked if the time limit to act on an application was okay to carry the item over to next month? Mr. Ferraro responded no.

Vice-Chairman Igielsi noted that the Commission would require a letter from the applicant granting the Commission a time extension.

Mr. Arthur Vendola, P.E., and representing the applicant noted his presence to the Commission. He also noted that the project would be adversely affected if its start was delayed.

Vice-Chairman Igielski suggested that a presentation be made tonight and the Commission could act on it next month.

Commissioner Block suggested that the Commission hold the item open and have Mr. Vendola make a presentation on the application. Then Mr. Harlow and Mr. Turgeon could vote on it tonight.

Mr. Arthur Vendola, P.E. and L.S., and representing the applicant entered the following remarks into the record:

- A. The proposal is to construct a 67 foot by 70 foot two (2) story building addition over a section of the existing parking lot.
- B. The new building addition floor would be supported by 25 12 inch by 12 inch concrete piers.
- C. The bottom floor elevation of the addition would be set two (2) inches above the 100 (FEMA) flood elevation.
- D. The elevator shaft (9 foot by 12 foot) would extend down to existing ground.
- E. The construction of the piers and elevator shaft would require the removal of 336.49 cubic feet of material.
- F. Mitigation of the lost storage would be accomplished by construction of a rip rap lined trench. The trench location and cross section are shown on the site plan.

Commissioner Block noted the area under the new addition would be a harbinger for animals. The area should be secured.

There was a general discussion initiated by Alternate Harlow dealing with the history of the area relative to wetlands, flooding and development. He made a suggestion to see if some wetland land could be restored as part of a future application by removing fill material that had been previously placed over an existing wetland. (listen to audio tape for details of the discussion).

Vice-Chairman Igielski asked Alternates Harlow and Turgeon if they could now act on the application? Mr. Harlow and Mr. Turgeon responded yes.

Vice-Chairman Igielski asked if the application was complete? Mr. Ferraro responded yes.

Motion made by Commissioner Block that based on the information before it, the Commission make a finding of fact that a public hearing is not necessary for Application 2010-01 because the proposed activities would not have a major impact or significant effect on the regulated areas. Motion seconded by Alternate Harlow. There was no discussion. Vote was 5 yes, 0 no and the motion was carried.

Mr. Ferraro passed out a list of suggested conditions for consideration by Commission members. There was a general review and discussion by Commission members.

Motion made by Commissioner Block to grant a permit by Summary Ruling for Application 2010-01 and subject to conditions. Motion was seconded by Alternate Harlow. There was no discussion. Vote was 5 yes, 0 no and motion was carried.

NOTE: Refer to audio tape or "Official Notification of Action" for conditions of the permit.

#### ITEM VI B

##### Inland and Watercourses Regulations-Approved

Mr. Ferraro noted the Town Council approved the changes to the Regulations last month.

Mr. Ferraro noted that he had received a letter from DEP that included a change to the Regulations that was approved last year by the legislature. DEP recommended that commissions incorporate the change into their Regulations.

It was noted that Commission had just received Council approval (following a process that had taken several months) to amend the Regulations.

Vice-Chairman Igielski said the language of the change should be reviewed and discussed at next month's meeting.

It was the consensus of Commission members to carry the item over to the April meeting.

#### ITEM VII

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: NONE

#### ITEM VIII

##### COMMUNICATIONS AND REPORTS

Commissioner Block reported that the Town open Space Committee has met several times and is currently focusing on putting together a perspective on a possible land trust. In addition, the Committee is planning to invite parties involved in ownership of land on Cedar Mountain to explore their possible intentions for their properties. He also noted the Committee may look into tax credits and is awaiting the final adoption of the 2010 Town Plan of Conservation and Development.

Motion made by Alternate Turgeon to adjourn meeting at 7:25 p.m. and was seconded by Alternate Harlow. There was no discussion. Vote was 5 yes, 0 no and motion was carried.

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Peter M. Arburr, Recording Secretary

Commission Members

Tayna Lane, Town Clerk

Town Manager John Salamone

Edmund Meehan, Town Planner

Councilor Myra Cohen

Chairperson, Town Plan and Zoning Commission

Anthony Ferraro, Town Engineer

Ben Ancona Jr., Esquire, Town Attorney

Lucy Robbins Wells Library (2)